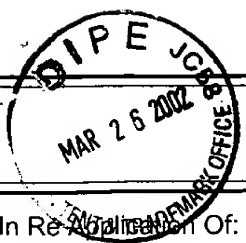


2162



TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
97-564-C1

In Re: **Andrew S. VAN LUCHENE**

Serial No.	Filing Date	Examiner	Group Art Unit
09/777,297	February 6, 2001	Not Yet Assigned	2162

Title: **METHOD AND APPARATUS FOR CONTROLLING OFFERS THAT ARE PROVIDED AT A POINT-OF-SALE TERMINAL**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

RECEIVED
MAR 28 2002
Technology Center 2100

Transmitted herewith is:

- Supplemental Information Disclosure Statement (5 pp.);
- PTO Form-1449 (8 pp.) and references cited therein (84);
- Assertion of Small Entity Status (1 pg.); and
- Return Receipt Postcard.

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. **50-0271** as described below. A duplicate copy of this sheet is enclosed.
 - ☐ Charge the amount of _____
 - ☒ Credit any overpayment.
 - ☒ Charge any additional fee required.

Signature

Dated: **March 22, 2002**

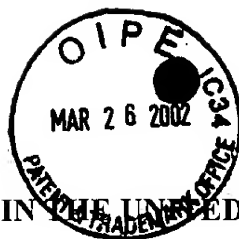
Dean P. Alderucci
Attorney for Applicants
PTO Registration No. 40,484
(203) 461-7337/phone
(203) 461-7300/fax

Customer No. 22927

I certify that this document and fee is being deposited on March 22, 2002 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231	
Signature of Person Mailing Correspondence	
Michael D. Brinton	
Typed or Printed Name of Person Mailing Correspondence	

CC:

PATENT



#9 02-04-84CW
Serial No.: 09/777,297
Attorney Docket No.: 97-564-C1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Andrew S. VAN LUCHENE

) Examiner: Not Yet Assigned

Serial No.: 09/777,297

) Group Art Unit: 2162

Filing Date: February 6, 2001

) Attorney Docket No: 97-564-C1

) Customer No.: 22927

For: METHOD AND APPARATUS FOR
CONTROLLING OFFERS THAT ARE
PROVIDED AT A POINT-OF-SALE
TERMINAL



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MAR 29 2002
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as priority mail in an envelope with sufficient postage and addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on March 22, 2002.

Dated: 03/22/02 By:


Michael D. Brinton

Assistant Commissioner for Patents
Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants submit herewith patents, publications or other information of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a thorough search has been made, an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Nor shall the filing of this information disclosure statement be construed as an admission against interest in any manner.

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed on the accompanying Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items listed on the enclosed copy of Form PTO-1449 and to independently ascertain their teaching.

1. ☐ Applicants respectfully direct the Examiner's attention to the pending U.S. patent applications listed on the enclosed Form PTO-1449. The Examiner is respectfully requested to fully consider and independently ascertain the teachings and relevance of those applications with respect to the instant application. Applicants would be pleased to provide the Examiner with a copy of these applications upon request.
2. ☐ For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a European Search Report from a counterpart European application is enclosed. Such items are marked as reference letter(s): _____
_____.
3. ☐ For each of the items listed on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application. Such items are marked as reference letter(s): _____.
4. ☒ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:

☐ 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.

☐ 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491.

[X] 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office Action on the merits.

5. [] No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. 1.97(c), after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below.
6. [] A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c) after the period specified in paragraph 4 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action). The fee due under 37 C.F.R. §1.17(p) is to be paid as set forth in paragraph 10 below.
7. [] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in accordance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a Notice of Allowance, but before the payment of the issue fee, and is accompanied by:
- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
 - b. this document is to be considered as a petition requesting consideration of the information disclosure statement.
 - c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 10 below.

8. ☐ A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:

☐ 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition to Withdraw Application from Issue;

☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition to Withdraw Application from Issue.

9. ☐ I hereby certify:

☐ that each item of information contained in the items listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. A copy of such communication is enclosed.

☐ that no item of information contained or listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.


10. ☐ Please accept payment of the fees due as indicated below:

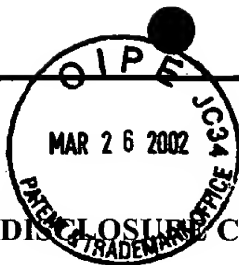
☐ A check in the amount of \$180.00 is enclosed in payment of the fee due under 37 C.F.R. 1.17(p).

- ☐ The Commissioner is hereby authorized to charge \$180.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(p).
- ☐ A check in the amount of \$180.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(i)(1).
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11. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0271. A copy of this authorization is attached.
12. ☐ No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed concurrently with a Request for Continued Examination.

Respectfully submitted,

March 22, 2002
Date


Michael D. Downs
Attorney for Applicants
Registration No. 50,252
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Walker Digital, LLC
Five High Ridge Park
Stamford, CT 06905
(203) 461-7292/phone
(203) 461-7300 /fax



INFORMATION DISCLOSURE CITATION

Docket Number

97-564-C1

Serial Number

09/777,297

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Applicants

Andrew S. VAN LUCHENE

MAR 29 2002

Technology Center 2100

Filing Date

February 6, 2000

Group Art Unit

2162

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIAT E
	A	5,717,866	02/10/98	Naftzger	395	214	
	B	5,822,735	10/13/98	De Lapa et al.	705	14	
	C	6,055,513	04/25/00	Katz et al.	705	26	
	D	6,064,987	05/16/00	Walker et al.	705	38	
	E	6,085,164	07/04/00	Smith et al.	705	5	
	F	6,088,682	07/11/00	Burke	705	17	
	G	6,112,191	08/29/00	Burke	705	41	
	H	6,119,099	09/12/00	Walker et al.	705	16	
	I	US 6,223,163 B1	04/24/01	Van Luchene	705	1	

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	Translation	
							Yes	No
	J	EP 0 780 788 A2	06/25/97	Europe				

OTHER DOCUMENTS (Including author, Title, Date, Pertinent Pages, Etc.)

	K	Goodstein, Ronald C., "UPC scanner pricing systems: Are they accurate?", Journal of Marketing, April 1994, Vol. 58, No. 2, pp. 20-30, ISSN: 0022-2429.					
	L	Stankevich and Garbato, Debby, "Cook's Warehouse sets heavy-gauge nonstick.", HFN The Weekly Newspaper for the Home Furnishing Network, August 14, 1995, Vol. 69, No. 33, pg. 46.					
	M	Rodwin, Marc A., "Consumer protection and managed care: The need for organized consumers", Health Affairs, Fall 1996, Vol. 15, No. 3, pp. 110-123, ISSN: 0278-2715.					
	N	Kennedy, Doug, "Train front desk staff in sales; hotel industry", Hotel and Motel Management, March 3, 1997, No. 4, Vol. 212, pg. 15, ISSN: 0018-6082.					

EXAMINER

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

HH 0300 2162

TRANSMITTAL LETTER
(General - Patent Pending)

Docket No.
97-564-C1

In Re Application of: **Andrew S. VAN LUCHENE**

Serial No.
09/777,297

Filing Date
February 6, 2001

Examiner
Not Yet Assigned

Group Art Unit
2162

Title: **METHOD AND APPARATUS FOR CONTROLLING OFFERS THAT ARE PROVIDED AT A POINT-OF-SALE TERMINAL**

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is:

**Supplemental Information Disclosure Statement (5 pp.);
PTO Form-1449 (1 pg.) and references cited therein (14); and
Return Receipt Postcard.**

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- ☒ Charge any additional fee required.


Signature

Dated: **March 22, 2002**

Michael D. Downs
Attorney for Applicants
PTO Registration No. 50,252
(203) 461-7292/phone
(203) 461-7300/fax

Customer No. 22927

CC: **Mdowns@walkerdigital.com**

I certify that this document and fee is being deposited on **March 22, 2002** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.


Signature of Person Mailing Correspondence

Michael D. Brinton

Typed or Printed Name of Person Mailing Correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of: Andrew S. VAN LUCHENE)

Serial No.: 09/777,297)

Filing Date: February 6, 2001)

For: METHOD AND APPARATUS FOR
CONTROLLING OFFERS THAT ARE
PROVIDED AT A POINT-OF-SALE
TERMINAL)

Examiner: Not Yet Assigned)

Group Art Unit: 2162)

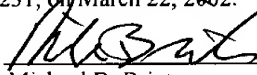
Attorney Docket No: 97-564-C1)

Customer No.: 22927)

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Technology Center 2100

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as priority mail in an envelope with sufficient postage and addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on March 22, 2002.

Dated: 03/22/02 By: 

Michael D. Brinton

Assistant Commissioner for Patents
Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

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- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 9 below; and
 - b. this document is to be considered as a petition requesting consideration of the information disclosure statement.
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☐ 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition to Withdraw Application from Issue.

9. ☐ I hereby certify:

☐ that each item of information contained in the items listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. A copy of such communication is enclosed.

☐ that no item of information contained or listed on the enclosed copy of Form PTO-1449 was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

10. ☐ Please accept payment of the fees due as indicated below:

☐ A check in the amount of \$180.00 is enclosed in payment of the fee due under 37 C.F.R. 1.17(p).

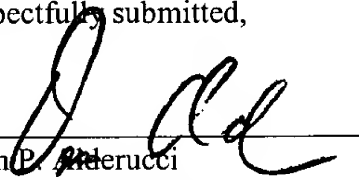
- ☐ The Commissioner is hereby authorized to charge \$180.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(p).
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Respectfully submitted,

March 22, 2002
Date



Dean P. Alderucci
Attorney for Applicants
Registration No. 40,484
Alderucci@WalkerDigital.com
Walker Digital, LLC
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(203) 461-7337/phone
(203) 461-7300 /fax

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

ATTY DOCKET NO.
97-564-C1

SERIAL NO.
09/777,297

Andrew S. VAN LUCHENE

FILING

February 6, 2001

GROUP

2162

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
A	3,573,747	04/06/71	Adams et al.			
B	4,108,361	08/22/78	Krause			
C	4,323,770	04/06/82	Dieulot et al.			
D	4,494,197	01/15/85	Troy et al.			
E	4,500,880	02/19/85	Gomersall et al.			
F	4,669,730	06/02/87	Small			
G	4,677,553	06/30/87	Roberts et al.			
H	4,689,742	08/25/87	Troy et al.			
I	4,760,247	07/26/88	Keane et al.			
J	4,815,741	03/28/89	Small			
K	4,825,045	04/25/89	Humble			

RECEIVED

MAR 28 2002

Technology Center 2100

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
L		WO 97/46961	12/11/97	PCT				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

M	"CAPE TOWN", Reuters, November 8, 1979, Thursday PM Cylce
N	"SAVE THE MARK", Financial Times (London), February 1, 1983, Section I: Men & Matters at Pg. 12.

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

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97-564-C1

SERIAL NO.

09/777,297

ANDREW S. VAN LUCHENE

FILING

February 6, 2001

GROUP

2162

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
O	4,839,507	06/13/89	May			
P	4,854,590	08/08/89	Jolliff et al.			
Q	4,859,838	08/22/89	Okiharu			
R	4,882,473	11/21/89	Bergeron et al.			
S	4,910,672	03/20/90	Off et al.			
T	4,922,522	05/01/90	Scanlon			
U	4,937,853	06/26/90	Brule et al.			
V	4,982,337	01/01/91	Burr et al.			
W	4,993,714	02/19/91	Golightly			
X	5,056,019	10/08/91	Schultz et al.			
Y	5,119,295	06/02/92	Kapur			

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FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Z	Greene, Jan, "Farm bills please assns; National Grocers Association", Supermarket News, December 23, 1985, Vol. 35, Pg. 6.
AA	"POS spectrum: a lottery looks to POS for growth", POS News, January 1989, Vol. 5, No. 7, Pg. 8.

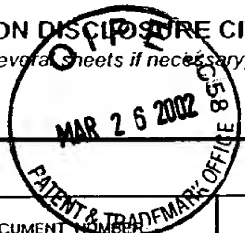
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U.S. PATENT DOCUMENTS

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BB	5,177,342	01/05/93	Adams			
CC	5,216,595	06/01/93	Protheroe			
DD	5,223,698	06/29/93	Kapur			
EE	5,231,569	07/27/93	Myatt et al.			
FF	5,239,165	08/24/93	Novak			
GG	5,243,515	09/07/93	Lee			
HH	5,262,941	11/16/93	Saladin et al.			
II	5,274,547	12/28/93	Zoffel et al.			
JJ	5,283,731	02/01/94	Lalonde et al.			
KK	5,287,268	02/15/94	McCarthy			
LL	5,297,031	03/22/94	Guterman et al.			

RECEIVED
MAR 28 2002
Technology Center 2100

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

MM	Kuttner, Robert, "Computers May Turn The World Into One Big Commodities Pit", Business Week, September 11, 1989, Economic Viewpoint, Number 3123, Pg. 17.
NN	Schrage, Michael, "An Experiment in Economic Theory; Labs Testing Real market", The Record, November 26, 1989, Business, Pg. B01.

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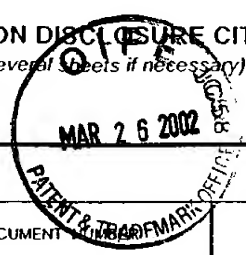
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FILING

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2162



U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
OO	5,309,355	05/03/94	Lockwood			
PP	5,420,606	05/30/95	Begum et al.			
QQ	5,459,306	10/17/95	Stein et al.			
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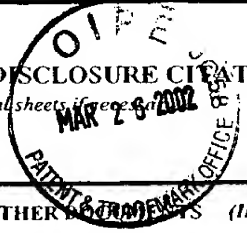
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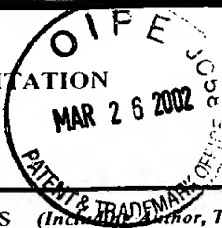
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